

104TH CONGRESS  
2D SESSION

# H. R. 3405

To designate a portion of the Sudbury, Assabet, and Concord Rivers as  
a component of the National Wild and Scenic Rivers System.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1996

Mr. MEEHAN introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To designate a portion of the Sudbury, Assabet, and Concord  
Rivers as a component of the National Wild and Scenic  
Rivers System.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Sudbury, Assabet and  
5       Concord Wild and Scenic Rivers Act”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8               (1) Title VII of Public Law 101–628—

9                       (A) designated a 29 mile segment of the  
10           Sudbury, Assabet, and Concord Rivers for

1 study of potential addition to the National Wild  
2 and Scenic Rivers System, and

3 (B) directed the Secretary of the Interior  
4 to establish the Sudbury, Assabet, and Concord  
5 River Study Committee (in this Act referred to  
6 as the “Study Committee”) to advise the Sec-  
7 retary of the Interior in conducting the study  
8 and concerning management alternatives should  
9 the river be included in the National Wild and  
10 Scenic Rivers System.

11 (2) The study determined that all three seg-  
12 ments of these rivers are eligible for inclusion in the  
13 National Wild and Scenic Rivers System based upon  
14 their free-flowing condition and outstanding scenic,  
15 recreation, wildlife, literary, and historic values.

16 (3) The towns that directly abut the segments,  
17 including Framingham, Sudbury, Wayland, Lincoln,  
18 Concord, Bedford, Carlisle, and Billerica, Massachu-  
19 setts, have each demonstrated their desire for Na-  
20 tional Wild and Scenic River Designation through  
21 town meeting votes endorsing designation.

22 (4) During the study, the Study Committee and  
23 the National Park Service prepared a comprehensive  
24 management plan for the segment, entitled “Sud-  
25 bury, Assabet and Concord Wild and Scenic River

1 Study, River Conservation Plan”, dated March 16,  
 2 1995, which establishes objectives, standards, and  
 3 action programs that will ensure long-term protec-  
 4 tion of the rivers’ outstanding values and compatible  
 5 management of their land and water resources.

6 (5) The Study Committee voted unanimously on  
 7 February 23, 1995, to recommend that the Congress  
 8 include these segments in the National Wild and  
 9 Scenic Rivers System for management in accordance  
 10 with the River Conservation Plan.

11 **SEC. 3. WILD, SCENIC, AND RECREATIONAL RIVER DES-**  
 12 **IGNATION.**

13 Section 3(a) of the Wild and Scenic Rivers Act (16  
 14 U.S.C. 1274(a)) is amended by adding at the end the fol-  
 15 lowing new paragraphs:

16 “( ) SUDBURY, ASSABET AND CONCORD RIV-  
 17 ERS, MASSACHUSETTS.—

18 “(A) IN GENERAL.—The 29 miles of river  
 19 segments in Massachusetts consisting of the  
 20 Sudbury River from the Danforth Street Bridge  
 21 in Framingham downstream to its confluence  
 22 with the Assabet River at Egg Rock; the  
 23 Assabet River from a point 1,000 feet down-  
 24 stream of the Damondale Dam in Concord to  
 25 its confluence with the Sudbury River at Egg

1 Rock; and the Concord River from its origin at  
2 Egg Rock in Concord downstream to the Route  
3 3 bridge in Billerica (in this paragraph referred  
4 to as the ‘segments’), as scenic and recreational  
5 river segments. The segments shall be adminis-  
6 tered by the SUASCO River Stewardship Coun-  
7 cil established under subparagraph (B) in co-  
8 operation with the Secretary of the Interior,  
9 through cooperative agreements under section  
10 10(e) between the Secretary and the Common-  
11 wealth of Massachusetts and its relevant politi-  
12 cal subdivisions (including the towns of Fra-  
13 mingham, Wayland, Sudbury, Lincoln, Concord,  
14 Carlisle, Bedford, and Billerica), and shall be  
15 managed in accordance with the plan entitled  
16 “Sudbury, Assabet and Concord Wild and Sce-  
17 nic River Study, River Conservation Plan”  
18 dated March 16, 1995 (in this paragraph re-  
19 ferred to as the ‘Plan’). The amount expended  
20 by the Federal Government for any activity im-  
21 plementing the Plan may not exceed 50 percent  
22 of the cost of the activity. For purposes of the  
23 preceding sentence, the cost of an activity in-  
24 cludes the value of in-kind contributions used  
25 to carry out the activity. The Plan is deemed

1 to satisfy the requirement for a comprehensive  
2 management plan under section 3(d).

3 “(B) MANAGEMENT COMMITTEE.—To as-  
4 sist in the long-term protection of the segments  
5 and the implementation of this paragraph and  
6 the Plan, the Secretary of the Interior shall es-  
7 tablish the SUASCO River Stewardship Council  
8 (in this paragraph referred to as the ‘Council’)  
9 within 90 days after the date of enactment of  
10 this paragraph. The membership, functions, re-  
11 sponsibilities, and administrative procedures of  
12 the Council shall be as set forth in the Plan.  
13 The Council shall not be considered to be a  
14 Federal advisory committee, and shall not be  
15 subject to the provisions of the Federal Advi-  
16 sory Committee Act (5 U.S.C. App.).

17 “(C) FEDERAL ROLE.—(i) The Director of  
18 the National Park Service (in this paragraph  
19 referred to as the ‘Director’) or his or her des-  
20 ignee shall represent the Secretary in the imple-  
21 mentation of the Plan and the provisions of this  
22 Act with respect to the segments, including the  
23 review of proposed federally assisted water re-  
24 sources projects which could have a direct and  
25 adverse effect on the values for which the seg-

1           ment is established, as authorized under section  
2           7(a).

3           “(ii) Pursuant to section 10(e) and section  
4           11(b)(1), the Director shall offer to enter into  
5           cooperative agreements with the Commonwealth  
6           of Massachusetts, its relevant political subdivi-  
7           sions, the Sudbury Valley Trustees, and the Or-  
8           ganization for the Assabet River. Such coopera-  
9           tive agreements shall be consistent with the  
10          Plan and may include provisions for financial or  
11          other assistance from the United States to fa-  
12          cilitate the long-term protection, conservation  
13          and enhancement of the segment.

14          “(iii) The Director may provide technical  
15          assistance, staff support, and funding to assist  
16          in the implementation of the Plan, except that  
17          the total cost to the Federal Government of ac-  
18          tivities to implement the Plan may not exceed  
19          \$100,000 each fiscal year.

20          “(iv) Notwithstanding the provisions of  
21          section 10(c), any portion of the segments not  
22          already within the National Park System shall  
23          not under this paragraph—

24                  “(I) become a part of the National  
25                  Park System;

1 “(II) be managed by the National  
2 Park System; or

3 “(III) be subject to regulations which  
4 govern the National Park System.

5 “(D) WATER RESOURCES PROJECTS.—(i)  
6 In determining whether a proposed water re-  
7 sources project would have a direct and adverse  
8 effect on the values for which the segments  
9 were included in the National Wild and Scenic  
10 Rivers System, the Secretary shall specifically  
11 consider the extent to which the project is con-  
12 sistent with the Plan.

13 “(ii) The Plan, including the detailed  
14 Water Resources Study incorporated by ref-  
15 erence therein and such additional analysis as  
16 may be incorporated in the future, shall serve  
17 as the primary source of information regarding  
18 the flows needed to maintain instream resources  
19 and potential compatibility between resource  
20 protection and possible additional water with-  
21 drawals.

22 “(E) LAND MANAGEMENT.—(i) The zoning  
23 bylaws of the towns of Framingham, Sudbury,  
24 Wayland, Lincoln, Concord, Carlisle, Bedford,  
25 and Billerica, Massachusetts, as in effect on the

1 date of enactment of this paragraph, are  
2 deemed to satisfy the standards and require-  
3 ments under section 6(c). For the purpose of  
4 section 6(c), the towns are deemed to be ‘vil-  
5 lages’ and the provisions of that section which  
6 prohibit Federal acquisition of lands shall  
7 apply.

8 “(ii) The United States Government shall  
9 not acquire by any means title to land, ease-  
10 ments, or other interests in land along the seg-  
11 ments or their tributaries for the purposes of  
12 designation of the segments under this para-  
13 graph. Nothing in this Act shall prohibit Fed-  
14 eral acquisition of interests in land along the  
15 segments under other laws for other purposes.

16 “(F) DISTINCT LATERAL BOUNDARIES.—  
17 Notwithstanding anything in section 3(b) of  
18 this Act to the contrary, no distinct lateral  
19 boundary shall be established for the segments,  
20 as set forth in the Plan.

21 “(G) FUNDING.—There are authorized to  
22 be appropriated to the Secretary to carry out  
23 this paragraph not to exceed \$100,000 for each  
24 fiscal year.”.

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